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1794

1794 Treaty between the Passamaquoddy Tribe and the Commonwealth of Massachusetts

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No. 1.

Resolve on the report of Alexander Campbell and others, a Committee, in behalf of this Commonwealth to negociate and settle any misunderstanding or differences with the Passamaquoddy Indians and those of the other Tribes connected with them

Feb.y 10th 1795.

Whereas, by a Resolve of the General Court passed on the 26th day of June last, Alexander Campbell, John Allan and George Stillman were appointed a Committee, in behalf of this Commonwealth, to negociate and settle any misunderstanding, dispute or differences which may subsist between this Commonwealth and the Passamaquoddy Indians, and those of other tribes connected with them, with full powers and authority to lay out and assign to the said Indians any tract of unlocated land belonging to this Commonwealth in the County of Washington, not exceeding ten thousand acres, and also to purchase any particular spot of ground or tract of Land for the use and convenience of said Indians, provided however, that such purchase shall not exceed the sum of Five hundred pounds:

And whereas, the said Committee have exhibited to the General Court in this present Session an agreement made and signed on the 29th day of September last, by and between them in behalf of this Commonwealth and the Chiefs of the Passamaquoddy tribe of Indians and others connected with them, which agreement is in the words following, to wit:

To all people to whom this present agreement shall be made known — We, Alexander Campbell, John Allan and George Stillman, Esquires a Committee appointed and authorized by the General Court

Court of the Commonwealth of Massachusetts to treat with and assign certain lands to the Passamaquoddy Indians and others connected with them, agreeable to a Resolve of said General Court of the 26th. of June, in the year of our Lord 1794. of the one part, and the Subscribing Chiefs and others for themselves and in behalf of the said Passamaquoddy tribe and others connected with them, of the other part, Witnesseth, that the said Committee in behalf of the Commonwealth aforesaid, and in consideration of the said Indians relinquishing all their right, title, interest, claim or demand of any land or lands, lying and being within the said Commonwealth of Massachusetts and also engaging to be peaceable and quiet Inhabitants of said Commonwealth, without molesting any other of the Settlers of the Commonwealth aforesaid in any way or means whatever, in consideration of all which, the Committee aforesaid for and in behalf of the Commonwealth aforesaid, do hereby assign and set off to the aforesaid Indians, the following tracts or parcels of land lying and being within the Commonwealth of Massachusetts, Viz:. All those Islands lying and being in Schoodic river between the falls at the head of the tide, and the falls below the forks of said River where the north branch and west branch parts, being fifteen in number, containing one hundred acres, more or less; also Township No. 2, in the first Range surveyed by Mr. Samuel Titcomb, in the year of our Lord 1794, containing about 23,000 acres, more or less, being bounded as follows: Easterly, by Somers River and Township No. 1 - first Range; northerly by Township No. 2. second Range; westerly, by Township No. 3 - first Range; Southerly by the west branch of Schoodic River & Lake; also Lues Island lying in front of said Township, containing ten acres more or less, together with one hundred acres of land lying on nemcass point adjoining the west side of said township; also Pine Island lying to the westward of said Nemcass Point, containing

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one hundred and fifty acres more or less: also assign and set off to John Baptiste Laurie, a French Gentleman now settled among the said Indians, one hundred acres of land as a settler in Township No. 1. first Range, lying at the falls at the carrying place on the north branch of Schoodic River, to be entitled to have said land laid out to him in the same manner as settlers in new Townships are entitled; also assign to the said Indians the privilege of fishing on both branches of the River Schoodic, without hindrance or molestation, and the privilege of passing the said River over the different carrying places thereon, all which Islands, Townships, tracts or parcels of land and privileges, being marked with a cross thus X on the plan taken by Mr. Samuel Titcomb with the reservation of all pine Trees fit for masts on said tracts of land, to Government — they making said Indians a reasonable compensation therefor; also assign and set off to said Indians, ten acres of land more or less, at pleasant point purchased by said Committee in behalf of said Commonwealth of John Frost, being bounded as follows, Viz: begining at a stake to the eastward of the Dwelling house and running north twenty five Degrees West fifty four rods; from thence running north fifty six degrees east thirty eight rods to the bay; from thence by the shore to the first bounds; also a privilege of setting down at the carrying place at west Passamaquoddy between the Bay of west Quoddy and the Bay of Fundy to contain fifty acres, the said Islands, Tracts of lands and privileges to be confirmed by the Commonwealth of Massachusetts, to the said Indians and their heirs forever.

In Testimony of all which we the said Alexander Campbell, John Allan and Gov. Sullivan the Committee aforesaid and in behalf of the Commonwealth aforesaid, and the Chiefs and other Indians aforesaid in behalf of themselves and those connected with them as aforesaid

aforesaid have hereunto set our hands and seals at Passamaquoddy the 29th day of September, in the year of our Lord, one thousand seven hundred and ninety-four. ———

Signed, sealed
in presence of us,
Samuel Titcomb
Jno. Frost Jr.

Alexander Campbell L.S.
I. Allan - L.S.
George Stillman L.S.
Francis Joseph his + mark Neptune L.S.
John his + mark Neptune L.S.
Pier his + mark Neptune L.S.
Joseph his + mark Neptune L.S.
Pier his + mark Penny L.S.
Jonale his + mark Penny L.S.
Joseph his + mark Tomas L.S.

Be it therefore resolved, that the said agreement be and it is hereby ratified and confirmed on the part of this Commonwealth; and that there be allowed and paid out of the Treasury of this Commonwealth to the said Committee the sum of two hundred pounds being the consideration paid to the above named John Frost for a tract of land on Pleasant point purchased by the said Committee. Ten acres of which more or less as in the before recited agreement, is hereby appropriated for the accommodation of the said Indians; said sum to be paid to the said Committee on their depositing in the Secretarys Office a Deed from the said

Carried to sheet no. 2. —

John —